

**DISSENTING JOINT STATEMENT OF
COMMISSIONERS MICHAEL J. COPPS AND JONATHAN S. ADELSTEIN**

Re: EchoStar Satellite Operating Corporation, Application to Construct, Launch, and Operate a Direct Broadcast Satellite at the 86.5° W.L. Orbital Location; Spectrum Five, L.L.C., Petition for Declaratory Ruling to Serve the U.S. Market Using Broadcast Satellite Service Spectrum from the 114.5° W.L. Orbital Location

We respectfully dissent to today's decision, which affirms the Bureau's grant of authorization for two so-called 'tweener satellites. As we have stated before, without prejudging the merits of these applications, we do not believe the FCC has any business approving 'tweener applications at the same time that the agency is conducting a general rulemaking into the technical feasibility of operating such satellites.